

P13-2382 (Conditional Use Permit)
Exhibit A, Draft Conditions of Approval
Chabad of the Tri-Valley
1258 Quarry Lane, Suite G
November 13, 2013

Project Specific Conditions of Approval

Planning

1. All activities shall be conducted within the building and all exterior doors shall remain closed when not being used for ingress/egress purposes.
2. This approval includes approval for 15 students at a time for Hebrew/Sunday school. A request for additional students shall be submitted to the Director of Community Development. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.
3. Unless otherwise approved by the Director of Community Development, class sessions for Hebrew/Sunday school shall have a 15-minute gap between the end time and start time of classes.
4. If additional hours of operation, number of students or employees, or activities beyond what is stated in the applicant's written narrative dated "Received, November 1, 2013," on file in the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission if judged to be substantial.

Building

5. Prior to operation of the use, the applicant shall obtain building permits and approval from the Building and Safety Division for a permanent wall that shall be constructed within the warehouse area at the rear of the subject tenant space in order to separate the required exit path from the storage area.
6. The subject use shall operate at a ratio of at least one (1) instructor for every eight (8) students.

Standard Conditions of Approval

Community Development Department

7. The applicant shall pay any and all fees to which the use may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

Planning

8. The proposed use shall be in substantial conformance to Exhibit B, dated "Received, November 1, 2013," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans or operation may be allowed subject to the approval of the Director of Community Development.
9. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
10. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, this conditional use permit may be submitted to the Planning Commission for their subsequent review at a public hearing.
11. This conditional use permit approval will lapse 1 year from the effective date of approval unless the applicant receives a business license.
12. Chabad of the Tri-Valley shall maintain the area surrounding the tenant space in a clean and orderly manner at all times.
13. This approval does not include approval of any signage for Chabad of the Tri-Valley. If signs are desired, the Chabad of the Tri-Valley shall submit a sign proposal to the City for review and approval prior to sign installation.
14. Changes to the exterior of the building shall not be made without prior approval from the Planning Division.
15. If the applicant wishes to relocate the use to a new address or tenant suite, the applicant shall secure a new conditional use permit prior to occupying the new building or tenant suite.

Code Requirements

Building

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

16. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.
17. Any tenant improvement plans shall be submitted to the Building and Safety Division for review and approval.
18. Prior to issuance of a business license, the applicant shall contact the Building Division and the Fire Marshall to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.